



Dale E. Barney
Director

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VIA ECF

July 16, 2021

Honorable Claire C. Cecchi, USDJ
United States District Court
Martin Luther King Jr. Courthouse
50 Walnut Street
Newark NJ 07102

RE: Discover Growth Fund, LLC v. Fiorino, et al.,
Civil Action No. 2:20-cv-00351 (CCC)(AME)

Immune Pharmaceuticals, Inc. v. Discover Growth Fund, LLC,
Civil Action No. 2:20-cv-3375 (CCC)(AME) (Motion to Withdraw Reference)

Lester v. Discover Growth Fund, LLC,
Civil Action No. 2:20-cv-9469 (CCC)(AME) (On appeal)

In re Immune Pharmaceuticals, Inc.,
Civil Action No. 2:20-cv-12247 (CCC)(AME) (On Appeal)

Dear Judge Cecchi:

We are counsel to Discover Growth Fund, LLC, a party to each of the captioned civil actions. I write to advise Your Honor that all parties to the above matters pending before the Court achieved a global settlement in principle at a private mediation held this week, subject to final documentation acceptable to the parties and the approval of the United States Bankruptcy Court in the underlying bankruptcy cases of Immune Pharmaceuticals, Inc. and affiliates, Case No. 19-13273 (AFP). Once finalized, this settlement shall resolve all matters pending in the captioned matters, inclusive of all pending motion practice.

The settlement will likewise resolve underlying litigation in the Bankruptcy Court captioned Lester v. Discover Growth Fund, LLC, Adv. Pro. No. 19-02033 (VFP) and another adversary proceeding captioned Lester v. Discover Growth Fund, LLC, Adv. Pro. No. 21-01230 (VFP). Following the consummation of the settlement, the parties will file the appropriate dismissals in all actions referenced in this letter.

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As always, we appreciate the Court's time and attention to this matter.

Respectfully submitted,



Dale E. Barney
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Cc: Hon. Vincent F. Papalia, USBJ (via email)
Hon. Andre M. Espinosa, USMJ (via ECF)
John E. Jureller, Jr., Esq. (via email and ECF)
Jonathan I. Rabinowitz, Esq. (via email and ECF)